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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,721	06/29/2000	DOMINIC DESMOND PHELM O'NEILL	84625-000200	8391

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EXAMINER

LE, DANH C

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 03/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/582,721

Applicant(s)

O'NEILL, DOMINIC DESMOND
PHELM

Examiner

DANH C LE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-8 rejected under 35 U.S.C. 102(e) as being anticipated by Rekieta (US 6,230,164).

As to claim 1, Rekieta teaches the telecommunication network having at least one database of functions for controlling the network (figure 3, and col.5, line 5-col.76, line 42), said database comprising at least a data function and a data control function; characterised in that:

the database is replicated a plurality of times, the database of one of said replicated databases is a primary database, the data control function of which is arranged to generate signals for synchronised updating of all of said replicated databases, and at least a second database is a primary standby database, the data control function of which is arranged to generate signals for synchronised updating of all of said replicated databases in the event of a failure of said primary database .

As to claim 2, Rekieta teaches the network according to claim 1, wherein a plurality of databases are primary standby databases (col.5, line 5-col.76, line 42).

As to claim 3, Rekieta teaches the network according to claim 1, wherein

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databases other than said primary database and said primary standby database are secondary databases and are arranged to signal to said primary and/or said primary standby database when they have been updated in response to the updating signals from said primary of said primary standby database (figure 3, and col.5, line 5-col.76, line 42).

As to claim 4, the claim is a method of the claim 1, therefore; the claim is interpreted and rejected as set forth in the claim 1.

As to claim 5, Rekieta teaches the telecommunications network (figure 3 and col.5, line 5-col.76, line 42) comprising:

a primary database (63) having at least a data function and a data control function; and

a plurality of secondary databases (60, 62, 64) which are replicas of the primary database, wherein at least one of the secondary databases in a primary standby database (62);

wherein the data control function of the primary database is arranged to generate signals for synchronised updating the secondary databases, and wherein the data control function of the primary stands database is arranged to generate signals for synchronised updating of all of the secondary databases in the even of a failure of the primary database.

A network according to claim 6, further comprising a plurality of primary standby databases (line 5-col.76, line 42).

As to claim 7, Rekieta teaches the network according to claim 5, wherein the secondary databases other than the primary database are arranged to signal to the primary and/or the primary standby database(s) when they have been updated in response to the updating signals from the primary database (line 5-col.76, line 42).

As to claim 8, the claim is a method of the claim 5, therefore; the claim is interpreted and rejected as set forth in the claim 5.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Przybysz (US 6,188,695) teaches the system and method for multi-node data synchronization.

B. Oshimi (US 6,169,794) teaches the method and apparatus for synchronizing databases within intelligent network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 703-306-0542. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Danh C. Le
March 3, 2003



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
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